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U.S. Patent & TMOfc/TM Mail Rcpt Dt. #76

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2. Petitioner is now and has been engaged in the business of manufacturing and selling hunting stands.

3. Petitioner adopted and has been continually using the trademark BUCKSHOT as a trademark for its hunting stands since at least as early as November 4, 1988, and is now using said mark.

4. Petitioner has spent substantial sums of money in the advertising, promotion, and distribution of its goods provided under the BUCKSHOT mark and has so used said mark in connection with said business such that the public has come to associate said mark with Petitioner and as indicating that the goods so marked originate with Petitioner.

5. On July 21, 2000, Petitioner filed an application in the United States Patent and Trademark Office to register BUCKSHOT for "hunting stands". On September 28, 2001, the Examining Attorney refused registration of Petitioner's mark, holding that a likelihood of confusion was created with Registrant's BUCK-SHOT mark. This holding was repeated and made FINAL on May 6, 2002.

6. The continuing existence of Registration No. 2,106,871 is causing injury and damage to Petitioner by blocking registration of Petitioner's trademark. As ruled by the Examining Attorney, there is a likelihood of confusion between Registrant's mark and Petitioner's mark. Petitioner began using its BUCKSHOT mark more than seven years before Registrant began use of its BUCK-SHOT mark, thereby making Petitioner the senior user in the United States.

WHEREFORE, Petitioner requests cancellation of Registration No. 2,106,871.

A duplicate copy of this petition is enclosed herewith, along with a check in the amount of \$300.00 for the petition fee. If any additional fees are required, the Commissioner is authorized to charge such fees to Petitioner's Account No. 501923.

Respectfully submitted,



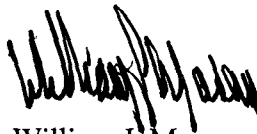
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CERTIFICATE OF MAILING/EXPRESS MAIL

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Date of Deposit: October 17, 2002

I hereby certify that this paper, which is a PETITION FOR CANCELLATION is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513.



William J. Mason
Registration No. 22,948

Our File No.: 5427-028